

Jodie Berger (SBN 124144)
jberger@wclp.org
Richard Rothschild (SBN 67356)
rrothschild@wclp.org
Robert Newman (SBN 86534)
rnewman@wclp.org
Antionette Dozier (SBN 244437)
adozier@wclp.org

WESTERN CENTER ON LAW & POVERTY
3701 Wilshire Blvd., Suite 208
Los Angeles, CA 90010
T: (213) 235-2617
F: (213) 487-0242

Lindsay Nako (SBN 239090)
lnako@impactfund.org
Fawn Rajbhandari-Korr (SBN 315888)
fkorr@impactfund.org
Meredith Dixon (SBN 346864)
mdixon@impactfund.org
IMPACT FUND
2080 Addison St., Suite 5
Berkeley, CA 94704
T: (510) 845-3473
F: 510) 845-3654

Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

ANIKA OKJE ERDMANN-BROWNING
and JACQUELINE BENITEZ, individually
and on behalf of all others similarly situated,

Plaintiffs,

V.

THOMAS J. VILSACK, Secretary, United States Department of Agriculture, in his official capacity; SHALANDA YOUNG, Director of the United States Office of Management and Budget, in her official capacity.

Defendants.

Case No.: 3:23-cv-04678

**DECLARATION OF ANIKA OKJE
ERDMANN-BROWNING IN SUPPORT
OF PLAINTIFFS' *EX PARTE*
APPLICATION FOR TEMPORARY
RESTRAINING ORDER AND ORDER
TO SHOW CAUSE RE:
PRELIMINARY INJUNCTION**

CLASS ACTION

Hearing Date: September 13, 2023
Time: TBD

Action filed: September 12, 2023

DECLARATION OF ANIKA OKJE ERDMANN-BROWNING

I, Anika Okje Erdmann-Browning, declare as follows.

1. I am a plaintiff and a proposed class representative in this case. I have personal knowledge of the facts in this declaration and am competent to testify to them.

2. I am 46 years old. My husband is William Browning. He is 55 years old. There are no children in our household.

3. My husband and I live in Alameda County.

4. We currently receive \$496 per month in CalFresh benefits.

5. I have been diagnosed with multiple sclerosis. It makes me weak and makes walking very difficult, and causes me to be unstable and fall. I also have pain. I receive needs-based disability cash benefits because of my disability.

6. I have a graduate degree in Industrial Engineering and an undergraduate degree in Computer Engineering.

7. I previously worked in the high-tech industry. I lost that job when my condition made it too hard for me to continue working. I am also a journalist and try to work freelance in that field as my condition permits, but the income is irregular.

8. My husband and I became homeless in 2020 when our savings ran out. We prioritize using our income to stay in motel rooms. When those funds run out, we sleep in our car. Sleeping in a cramped vehicle is physically hard for anyone, but it is particularly hard for me because of my disability. I am often in pain and very weak. My husband also has severe arthritis and needs surgery on his arm and shoulder related to untreated bike accidents. These conditions limit his ability to get other employment.

9. My husband is employed as my disability services provider. He also has to complete tasks and services for me that are not covered through the In-Home Supportive Services Program. My husband must do all the cleaning, shopping, driving, laundry, and must help me when I fall down. He also must stay with me when we are sleeping in our car to protect me and our possessions because my disability makes me very vulnerable.

10. We try to save our cash for motel rooms, food and other necessities such as gas to

go to appointments and do shopping, and personal care items. My disability creates extra costs. For example, I have a service dog that assists me with my disability. I must use my limited cash to pay for the dog's food and veterinary bills. When we are not staying at a motel, I also need to regularly buy ice to keep my multiple sclerosis medication cool.

11. Some of my other medications must be taken with food. I cannot skip meals. I need to make the food we have last as long as possible so I can eat when I take my medications.

12. We meet most of our food needs through our CalFresh benefits, using our cash for the motel rooms and basic needs like sanitary items. If I lose CalFresh benefits or if my benefits are delayed, I will have to survive on a very reduced diet. If the delay continued for any length of time, I will not eat and I will not be able to take my medication.

13. Several times in the past, my CalFresh benefits had stopped. When that happened, I had to use my monthly income for food instead of motel rooms or other needs. I appealed the discontinuances of my benefits and got my benefits restored. Although I eventually got all my benefits back, the retroactive benefits came as lump sum issuance of food benefits on my EBT card and could only be used for food. Being homeless, I cannot store much food and don't have a reliable way to use food that requires refrigeration. The retroactive food benefits did not replace the cash income I had to spend on food, or that I had to resort to sleeping in my car more often when I had less cash for motels and cutting back on other necessities.

14. Food bank assistance is not really an option for my family. They pack bags of food in advance, and they usually include food that I either cannot eat or which must be warmed or cooked. We cannot cook when we have to stay in our car, so unless there is fresh produce, most of the food bags won't help us. We would not be able to use most of the food, and when so many people are in need, it would be a waste. Even if we wanted to get food bank help, they are hard for us to reach, as we'd have to drive. Gas is very expensive, and we try to stay in one place so we don't have to divert more of our cash to buying gas.

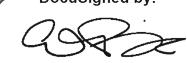
15. Although I qualify for disabled meal program, those also require a stove to cook or warm the food.

16. CalFresh is the only benefit that keeps my husband and I from going hungry.

17. I want to be a named plaintiff in this case to help my family and other people like me in California and the rest of the country. We will all be hurt if CalFresh (SNAP) benefits don't come out on time or are suspended because of Congress not passing budget bills causing a government shutdown. I understand my role as a class representative: I am to stay informed about the lawsuit, give information and feedback to my lawyers, and take part in court or other case-related events. I am prepared to be responsible for putting the interests of the class members ahead of my own.

I hereby declare under penalty of perjury under the laws of under the laws of the United States of America that the foregoing is true and correct.

Executed on 9/8/2023, 2023, in Alameda County.

— DocuSigned by:

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Anika Okje Erdmann-Browning